



ATTORNEY'S DOCKET NUMBER: 2003080-0071 (SK-744-CON4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danishefsky *et al.* Examiner: Solola, T. A.
Serial No.: 10/004,571 Art Unit: 1626
Filed: December 4, 2001
For: Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

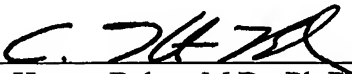
TRANSMITTAL LETTER

Enclosed are the following documents:

1. Form PTO-1449 (21 page);
2. Supplemental Information Disclosure Statement (5 pages);
3. Transmittal Letter (1 page);
4. Cited Art (434); and
5. Return Postcard.

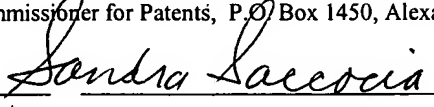
If any additional fees are required to be paid or if any overpayment has been made, please charge same to Deposit Account No. 03-1721.

Respectfully submitted,


C. Hunter Baker, M.D., Ph.D.
Registration Number 46,533

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000
(617) 248-4000

Dated: 2/9/2005
3814598

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
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	Sandra Saccocia
Typed or Printed Name of person signing certificate	



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Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Type of Statement

The present Information Disclosure Statement is:

- [] An *original* Information Disclosure Statement; or
- [X] A *supplemental* Information Disclosure Statement.

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>2-9-05</u>	<u>Sandra Saccoccia</u>
Date	Signature
<u>Sandra Saccoccia</u>	
Name of Person Signing	

Compliance with 37 CFR § 1.97

The present Information Disclosure Statement is being filed:

- ☒ Pursuant to 37 CFR § 1.97(b); no fee or certification is required:
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
 - ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
 - ☒ Before the mailing of a first Office action on the merits; or
 - ☐ Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- ☐ Pursuant to 37 CFR § 1.97(c) after the dates listed above but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *either*:
- ☐ Certifies that *either*:
 - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
 - ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual

designated in § 1.56(c) more than three months prior to the filing of
the information disclosure statement; or

☐ Includes herewith the fee set forth in § 1.17(p),

☐ Pursuant to 37 CFR § 1.97(d), after the mailing date of any final action under
§ 1.113, a notice of allowance under § 1.311, or an action that otherwise closes
prosecution in the application; Applicant hereby *both*:

☐ Certifies that *either*:

☐ each item of information contained in the information disclosure
statement was first cited in any communication from a foreign
patent office in a counterpart foreign application not more than
three months prior to the filing of the information disclosure
statement; or

☐ That no item of information contained in the information
disclosure statement was cited in a communication from a foreign
patent office in a counterpart foreign application, and, to the
knowledge of the person signing the certification after making
reasonable inquiry, no item of information contained in the
information disclosure statement was known to any individual
designated in § 1.56(c) more than three months prior to the filing of
the information disclosure statement; and

☐ Includes herewith the fee set forth in § 1.17(p).

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- ☒ A copy of each cited reference not indicated with an asterisk is included;
- ☐ Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filing date under 35 USC § 120:

Serial Number	Filing Date	Status

- ☐ Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

- ☐ Does not contain non-English language citations;
- ☐ Includes one or more translations of a non-English citation; or
- ☒ Does contain non-English language citations, of which the following is a concise explanation:

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) .

The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 USC §102.


It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,

Dated: 2/9/2005


C. Hunter Baker, M.D., Ph.D.
Registration Number: 46,533

CHOATE, HALL & STEWART
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53 State Street
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FORM PTO-1449 (REV. 8-83)		U.S. Department of Commerce Patent and Trademark Office		ATTY. DOCKET: 2003080-0071 (SK-744-CON4)		IN RE APPLICATION NO.:10/004,571	
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				APPLICANT: Danishefsky <i>et al.</i>			
				FILING DATE: December 4, 2001		GROUP: 1626	
U.S. PATENT DOCUMENTS							
Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass		
	6,090,601	Gustafsson	July 18, 2000	435	183		
	6,096,757	Bishop	August 1, 2000	514	290		
	6,117,659	Ashley	September 12, 2000	435	155		
	6,121,029	Schupp	September 19, 2000	435	183		
	6,211,412	Georg	April 3, 2001	568	309		
	6,221,641	Khosla	April 24, 2001	435	193		
	6,251,636	Betlach	June 26, 2001	435	76		
	6,262,107	Li	July 17, 2001	514	449		
	6,280,999	Gustafsson	August 28, 2001	435	252.3		
	6,407,103	Nugiel <i>et al.</i>	June 18, 2002	514	232.8		
	6,419,692	Yang <i>et al.</i>	July 16, 2002	623	115		
	6,441,186	Nicolaou <i>et al.</i>	August 27, 2002	548	204		
	6,457,303	Georg <i>et al.</i>	October 1, 2002	56	465		
	6,489,314	Ashley <i>et al.</i>	December 3, 2002	514	183		
	6,498,257	Vite <i>et al.</i>	December 24, 2002	548	205		
	6,576,651	Bandyopadhyay <i>et al.</i>	June 10, 2003	514	365		
	6,596,875	White <i>et al.</i>	July 22, 2003	548	204		
	6,670,384	Bandyopadhyay <i>et al.</i>	December 30, 2003	514	365		
	6,683,100	Van Hoogevest	January 27, 2004	514	365		
	6,686,380	Lee	February 3, 2004	514	365		
	6,689,802	DiMarco <i>et al.</i>	February 10, 2004	514	365		
	6,719,540	Regueiro-Ren <i>et al.</i>	April 13, 2004	417	365		
	6,723,854	Danishefsky <i>et al.</i>	April 20, 2004	548	203		
	6,727,276	Lee	April 27, 2004	514	540		
	6,730,699	Li <i>et al.</i>	May 4, 2004	514	449		
	6,730,803	Iwasaki <i>et al.</i>	May 4, 2004	558	442		
	6,780,620	Li <i>et al.</i>	August 24, 2004	435	117		

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				FILING DATE: December 4, 2001		GROUP: 1626	
U.S. PATENT APPLICATIONS							
Examiner's Initials:	Serial Number:	Applicant:	Publication Date:	Group:	Art Unit:		
	2002/0086812	Schweinfest et al.	July 4, 2002				
	2002/0115686	Hoogevest	August 22, 2002				
	2002/0119202	Hunter et al.	August 29, 2002				
	2002/0137152	Santi et al.	September 26, 2002				
	2002/0143038	Bandyopadhyay <i>et al.</i>	October 3, 2002				
	2002/0147197	Newman et al.	October 10, 2002				
	2002/0156110	Arslanian et al.	October 24, 2002				
	2002/0156289	Georg et al.	October 24, 2002				
	2002/0164377	Hunter et al.	November 7, 2002				
	2002/0165258	Lee	November 7, 2002				
	2002/0165257	Lee	November 7, 2002				
	2002/0165265	Hunter et al.	November 7, 2002				
	2002/0165415	Georg et al.	November 7, 2002				
	2002/0169125	Leung et al.	November 14, 2002				
	2002/0169135	Pardee et al.	November 14, 2002				
	2002/0169190	Bandyopadhyay et al.	November 14, 2002				
	2002/0177615	Bandyopadhyay et al.	November 28, 2002				
	2002/0192778	Schupp <i>et al.</i>	December 19, 2002				
	2002/0193361	Ashley <i>et al.</i>	December 19, 2002				
	2002/0197261	Li <i>et al.</i>	December 26, 2002				
	2002/0198141	McChesney <i>et al.</i>	December 26, 2002				
	2003/0191089	Regueiro-Ren <i>et al.</i>	October 9, 2003				
	2003/0187273	White <i>et al.</i>	October 2, 2003				
	2003/0139460	Schwede <i>et al.</i>	July 24, 2003				
	2003/0134883	Myles <i>et al.</i>	July 17, 2003				
	2003/0130178	Li <i>et al.</i>	July 10, 2003				
	2003/0130170	Li <i>et al.</i>	July 10, 2003				

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				FILING DATE: December 4, 2001		GROUP: 1626	
	2003/0124055	Li <i>et al.</i>	July 3, 2003				
	2003/0125362	Danishefsky <i>et al.</i>	July 3, 2003				
	2003/0113335	Li <i>et al.</i>	June 19, 2003				
	2003/0114363	Li <i>et al.</i>	July 3, 2003				
	2003/0114450	Santi <i>et al.</i>	June 19, 2003				
	2003/0114504	Webster <i>et al.</i>	June 19, 2003				
	2003/0114518	Li <i>et al.</i>	June 19, 2003				
	2003/0105330	Danishefsky <i>et al.</i>	June 5, 2003				
	2003/0109500	Pero <i>et al.</i>	June 12, 2003				
	2003/0096381	Julien <i>et al.</i>	May 22, 2003				
	2003/0073677	Lee	April 17, 2003				
	2003/0073617	Li <i>et al.</i>	April 17, 2003				
	2003/0073615	Li <i>et al.</i>	April 17, 2003				
	2003/0073205	Arslanian <i>et al.</i>	April 17, 2003				
	2003/0060623	Vite <i>et al.</i>	March 27, 2003				
	2003/0054977	Kumar <i>et al.</i>	March 20, 2003				
	2003/0049841	Short <i>et al.</i>	March 13, 2003				
	2003/0045711	Ashley <i>et al.</i>	March 6, 2003				
	2003/0036515	Pardee <i>et al.</i>	February 20, 2003				
	2003/0036177	Strohacker	February 20, 2003				
	2003/0004338	Li <i>et al.</i>	January 2, 2003				
	2003/0004209	Hunter <i>et al.</i>	January 2, 2003				
	2003/0003094	Hunter <i>et al.</i>	January 2, 2003				
	2004/0023345	Vite <i>et al.</i>	February 5, 2004				
	2004/0024032	Voi <i>et al.</i>	February 5, 2004				
	2004/0024033	O'Reilly <i>et al.</i>	February 5, 2004				
	2004/0030147	White <i>et al.</i>	February 12, 2004				
	2004/0038324	Atadja <i>et al.</i>	February 26, 2004				
	2004/0039026	Nicolaou <i>et al.</i>	February 26, 2004				
	2004/0044203	Wittman <i>et al.</i>	March 4, 2004				

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INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				APPLICANT: Danishefsky <i>et al.</i>			
				FILING DATE: December 4, 2001		GROUP: 1626	
	2004/0044221	Danishefsky <i>et al.</i>	March 4, 2004				
	2004/0049051	Hoefle <i>et al.</i>	March 11, 2004				
	2004/0053910	Danishefsky <i>et al.</i>	March 18, 2004				
	2004/0053978	Lee <i>et al.</i>	March 18, 2004				
	2004/0053995	Danishefsky <i>et al.</i>	March 18, 2004				
	2004/0054186	Das <i>et al.</i>	March 18, 2004				
	2004/0087610	Pardee <i>et al.</i>	May 6, 2004				
	2004/0087634	Hoefle <i>et al.</i>	May 6, 2004				
	2004/0092478	Rothermel <i>et al.</i>	May 13, 2004				
	2004/0092514	Velaparthi <i>et al.</i>	May 13, 2004				
	2004/0092560	Hoefle <i>et al.</i>	May 13, 2004				
	2004/0097517	Dwyer <i>et al.</i>	May 20, 2004				
	2004/0102451	Guzi <i>et al.</i>	May 27, 2004				
	2004/0102452	Guzi <i>et al.</i>	May 27, 2004				
	2004/0102495	Danishefsky <i>et al.</i>	May 27, 2004				
	2004/0106624	Guzi <i>et al.</i>	June 3, 2004				
	2004/0106985	Jang	June 3, 2004				
	2004/0116442	Guzi <i>et al.</i>	June 17, 2004				
	2004/0126379	Adolf <i>et al.</i>	July 1, 2004				
	2004/0127432	Nicolaou <i>et al.</i>	July 1, 2004				
	2004/0132146	Benigni <i>et al.</i>	July 8, 2004				
	2004/0133271	Jang	July 8, 2004				
	2004/0132692	Sherrill <i>et al.</i>	July 8, 2004				
	2004/0132736	Guzi <i>et al.</i>	July 8, 2004				
	2004/0132754	Brandt <i>et al.</i>	July 8, 2004				
	2004/0142931	Vite <i>et al.</i>	July 22, 2004				
	2004/0142990	Hofmann <i>et al.</i>	July 22, 2004				
	2004/0152708	Li <i>et al.</i>	August 5, 2004				
FOREIGN PATENT DOCUMENTS							
Examiner's	Document No.	Country	Date	Translation			

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				FILING DATE: December 4, 2001		GROUP: 1626	
					Yes	No	
Initials							
	DE 41 38 042	Germany	19 November 1991				
	DE 196 07 702	Germany	29 February 1996				
	DE 196 38 870	Germany	23 September 1996				
	DE 197 01 758	Germany	20 January 1997				
	DE 197 13 970	Germany	04 April 1997				
	DE 197 20 312	Germany	15 May 1997				
	DE 197 26 627	Germany	17 June 1997				
	DE 197 35 574	Germany	09 August 1997				
	DE 197 35 575	Germany	09 August 1997				
	DE 197 35 578	Germany	09 August 1997				
	DE 197 44 135	Germany	29 September 1997				
	DE 197 49 717	Germany	31 October 1997				
	DE 197 51 200	Germany	13 November 1997				
	DE 198 13 821	Germany	20 March 1998				
	DE 198 21 954	Germany	15 May 1998				
	DE 198 33 750	Germany	16 July 1998				
	DE 198 46 493	Germany	09 October 1998				
	DE 198 30 060	Germany	30 June 1998				
	DE 198 49 464	Germany	21 October 1998				
	DE 199 08 763	Germany	18 February 1999				
	DE 199 08 765	Germany	18 February 1999				
	DE 199 08 767	Germany	19 October 2000				
	DE 199 23 001	Germany	13 May 1999				
	DE 199 30 111	Germany	01 July 1999				
	DE 199 54 228	Germany	04 November 1999				
	DE 199 54 230	Germany	04 November 1999				
	DE 100 51 136	Germany	16 October 2000				
	DE 100 15 836	Germany	27 March 2000				

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				FILING DATE: December 4, 2001		GROUP: 1626	
	DE 100 20 517	Germany	19 April 2000				
	DE 100 20 899	Germany	20 April 2000				
	EP 1 440 973	Europe	July 28, 2004				
	EP 1 428 826	Europe	June 16, 2004				
	EP 1 407 784	Europe	April 14, 2004				
	EP 1 386 922	Europe	February 4, 2004				
	EP 1 340 498	Europe	September 3, 2003				
	EP 1 275 648	Europe	15 January 2003				
	EP 1 201 666	Europe	02 May 2002				
	EP 1 186 606	Europe	17 March 2002				
	EP 1 121 364	Europe	13 March 2002				
	EP 1 001 951	Europe	25 September 2002				
	EP 0 975 638	Europe	07 August 2002				
	EP 0 975 622	Europe	09 October 2002				
	WO 04/080458	International	September 23, 2004				
	WO 04/063151	International	July 29, 2004				
	WO 04/061116	International	July 22, 2004				
	WO 04/056832	International	July 8, 2004				
	WO 04/054622	International	July 1, 2004				
	WO 04/054514	International	July 1, 2004				
	WO 04/052401	International	June 24, 2004				
	WO 04/030620	International	April 15, 2004				
	WO 04/028610	International	April 8, 2004				
	WO 04/028582	International	April 8, 2004				
	WO 04/025254	International	April 1, 2004				
	WO 04/026877	International	April 1, 2004				
	WO 04/026872	International	April 1, 2004				
	WO 04/026867	International	April 1, 2004				
	WO 04/026310	International	April 1, 2004				
	WO 04/026229	International	April 1, 2004				

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				FILING DATE: December 4, 2001		GROUP: 1626	
	WO 04/024735	International	March 25, 2004				
	WO 04/022560	International	March 18, 2004				
	WO 04/022080	International	March 18, 2004				
	WO 04/022062	International	March 18, 2004				
	WO 04/018635	International	March 4, 2004				
	WO 04/016269	International	February 26, 2004				
	WO 04/012735	International	February 12, 2004				
	WO 03/084536	International	October 16, 2003				
	WO 03/078411	International	September 25, 2003				
	WO 03/077903	International	September 25, 2003				
	WO 03/075899	International	September 18, 2003				
	WO 03/074521	International	September 12, 2003				
	WO 03/074053	International	September 12 2003				
	WO 03/070170	International	13 February 2002				
	WO 03/018002	International	06 March 2003				
	WO 03/014068	International	20 February 2003				
	WO 03/014063	International	20 February 2003				
	WO 03/007924	International	30 January 2003				
	WO 02/098868	International	14 May 2002				
	WO 02/096281	International	December 5, 2004				
	WO 02/072085	International	19 September 2002				
	WO 02/067941	International	06 September 2002				
	WO 02/046196	International	13 June 2002				
	WO 02/030356	International	April 18, 2002				
	WO 01/010412	International	02 August 2000				
	WO 01/007439	International	24 July 2000				
	WO 00/071521	International	15 May 2000				
	WO 00/066589	International	01 May 2000				
	WO 00/058254	International	23 March 2000				
	WO 00/057874	International	20 March 2000				

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	WO 00/049020	International	18 February 2000				
	WO 00/049019	International	18 February 2000				
	WO 00/047584	International	11 February 2000				
	WO 00/039276	International	21 December 1999				
	WO 00/037473	International	20 December 1999				
	WO 00/031247	International	19 November 1999				
	WO 00/000485	International	30 June 1999				
	WO 99/067253	International	21 June 1999				
	WO 99/066028	International	16 June 1999				
	WO 99/065913	International	18 June 1999				
	WO 99/059985	International	25 November 1999				
	WO 99/058534	International	07 May 1999				
	WO 99/054319	International	05 April 1999				
	WO 99/054318	International	05 April 1999				
Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Ahmed <i>et al.</i> , "Total Synthesis of the Microtubule Stabilizing Antitumor Agent Laulimalide and Some Nonnatural Analogues: The Power of Sharpless' Asymmedtric Epoxidation" <i>J. Org. Chem.</i> 68 :3026-3042, 2003.						
	Altmann <i>et al.</i> , "Epothilones and Their Analogs-Potential New Weapons in the Fight Against Cancer" <i>Chimia</i> , 54 :612-621, 2000.						
	Altmann <i>et al.</i> , "Synthesis and Biological Evaluation of Highly Potent Analogues of Epothilones B and D" <i>Bioorg. Med. Chem. Lett.</i> 10 (24):2765-2768, 2000.						
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